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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,) 10CR4246-JM
12 Plaintiff,) ORDER EXCLUDING TIME
13 v.)
14 BASAALY SAEED MOALIN, et al.,)
15 Defendants.)
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17 Having considered the Joint Motion by the United
18 States, Basaaly Saeed Moalin, Mohamed Mohamed Mohamud, Issa
19 Doreh, and Ahmed Nasir Taalil Mohamud for an Order Excluding
20 Time under the Speedy Trial Act, the Court finds that:

- 21 1. This is a multi-defendant case;
- 22 2. The charged offenses are serious, in that they
23 involve, among other things, allegations of conspiracy to
24 kill in a foreign country and conspiracy to provide material
25 support to a foreign terrorist organization and terrorists;
- 26 3. The case involves electronic surveillance under the
27 Foreign Intelligence Surveillance Act of 1978, 50 U.S.C. §§
28 1801-1812, 1821-1829 (FISA), and the discovery includes, but

1 is not limited to, approximately 1800 audio intercepts in
2 the Somali language;


3 4. Due to the number of defendants, the volume of
4 discovery, and the nature of the prosecution, this matter
5 is so complex and so unusual it is unreasonable to expect
6 adequate preparation for pretrial proceedings or the trial
7 itself within the time limits established by 18 U.S.C. §
8 3161, and the ends of justice in granting adequate time for
9 preparation outweigh the best interests of the public and
10 the defendants in a speedy trial; and

11 5. Time has previously been excluded under the Speedy
12 Trial Act from November 5, 2010, through April 7, 2011, due
13 to the filing, pendency, and the Court's consideration of,
14 motions on the docket.

15 Accordingly, IT IS HEREBY ORDERED THAT the period from
16 April 7, 2011, to June 16, 2011, is excluded under 18 U.S.C.
17 § 3161(h)(7)(A) and (B)(ii).

18 SO ORDERED.

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20 DATED: April 28, 2011

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22 Hon. Jeffrey T. Miller
23 United States District Judge
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